

BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 11760, of Oscar & Gloria Crowder pursuant to Section 8207.1 of the Zoning Regulations, for variances to permit parking within ten (10) feet of a dwelling and 3 feet of a side lot line as provided by Sections 7205.2 and 7205.12 of the Regulations at premise 1526 Fort Davis Place, S.E., Lot 20, Square 5369.

FINDINGS OF FACT:

1. The subject is located in the R-2 zone district.
2. The applicant proposes to construct a parking pad which would abut his home and be located on the same lot.
3. The proposed parking pad will be located within ten (10) feet of the existing dwelling and three (3) feet of the side lot of the subject property. Therefore, as provided by Sections 7205.3 and 7205.12, the applicant requires an area variance in order to permit the proposed parking plan.
4. The applicant testified at public hearing that at 5:00 p.m. it is virtually impossible to find parking near the subject property.
5. The applicant testified and the Board finds that the subject property is inaccessible from the rear because of the increase of grade from the alley which abuts the subject property to the rear yard. The increase of grade, which is approximately 56" makes it practically difficult for the applicant to locate a parking space at the rear of the subject property.
6. Opposition to this application was registered at public hearing. Parties in opposition objected on grounds that the existence of a parking pad in the applicant's side yard would spoil the aesthetic amenities of their neighborhood. The opposition testified that parking is difficult to find after 5:00 p.m. and that it would be costly for the applicants to place a parking pad in rear of the subject property.

CONCLUSIONS OF LAW:

Based upon the above findings of fact, the Board is of the opinion that the applicant has demonstrated the existence of practical difficulty in this case by reason of the extreme topography where the subject property adjoins the alley to the rear of applicant's lot. The applicant, having satisfied Section 8207.11 of the Zoning Regulations, the Board concludes that the granting of the requested variances will not substantially impair the meaning and intent of the Zoning Regulations or adversely affect the neighboring property.

ORDERED: THAT THE ABOVE APPLICATION BE, GRANTED.

VOTE:

3-0 (Mr. Klauber dissenting, Lilla Burt Cummings, Esq. abstaining because she did not hear the case.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

HEARING DATE: October 16, 1974

EXECUTIVE SESSION: October 25, 1974

ATTESTED BY:

  
JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER: NOV 27 1974

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